

One-on-One Meeting with Alex Dunn, AA OCSPP
Notes for Chad McIntosh, AA OITA
June 7th, 2019

China

- Administrator Wheeler and Minister Li will co-host the Joint Committee on Environmental Cooperation (JCEC) in Beijing on June 12th. The JCEC is a biennial ministerial meeting to report accomplishments and make commitments for future cooperation.
- Collaboration between EPA and China under the JCEC has enabled China to be increasingly effective in addressing its pollution challenges and to set and achieve many ambitious environmental improvement goals.
- These programs level the playing field for U.S. businesses, creating economic opportunities through international standardized environmental procedures; increase U.S. environmental technology exports to China; and enhance environmental protection and reduce potential impacts on U.S. citizens.
- The collaboration is formalized a Memorandum of Understanding, which outlines six key areas of cooperation: 1) improving air quality; 2) reducing water pollution; 3) **preventing exposure to chemicals and toxics**; 4) remediating soil, hazardous and solid waste; 5) improving environmental enforcement and compliance; and 6) enhancing environmental laws and institutions.
- Under Annex 3 of the MOU, EPA and MEE have committed to exchange expertise to improve and strengthen mechanisms and tools for management of chemicals and toxic substances and implementation of international conventions.
- The 2019 workplan on chemicals management includes:
 1. Mutually learning about the use of computational toxicology in China and the U.S. in chemicals-related decisions;
 2. Discussing approaches for managing chemicals in products and articles; and

3. Discussing guidance on chemical risk assessment and relevant technical methods in the U.S. and China.
- Integrated mercury management is also a component of Annex 3. Input from OPPT on mercury-containing products would satisfy elements in the chemicals management objective and mercury management objectives of the workplan.

Action: OCSPP engagement is needed immediately to demonstrate progress on the chemicals management annex in advance of the Administrator's mission to China next month.

Europe

Statement of Intent

- While in Brussels for meetings with the European Union, Administrator Wheeler and Director General for Environment Daniel Galleja, agreed to restart a joint Statement of Intent and update dialogues on chemicals. Where practical, the dialogues could be held by teleconference.

Proposed Mission to Helsinki

- Per the request from the Administrator, is OSCPP currently planning a chemicals mission to Helsinki? Please share further details on this proposed mission, the mission goals and anticipated EPA participants. Was it decided that Ryan Jackson would join?
- The Administrator's EC counterparts have requested feedback from us as soon as possible regarding potential EPA missions to European institutions this spring/summer, so that proper planning can start.

PDAA Nancy Beck's Travel to Brussels

- Is there any follow up to Nancy Beck's March mission to Brussels for the Global Business Summit on Chemicals?

Taiwan

- U.S. EPA and EPA Taiwan have cooperated on chemicals management since 2017. PDAA Beck participated in the 2017 and 2018 International Chemicals Management Conferences in Taiwan to share information on TSCA updates and implementation, and how the U.S. prioritizes chemicals under TSCA.
- In 2018, OCSPP OPP Yu-ting Guilaran and Wynne Miller delivered technical trainings on pesticide management for non-agricultural uses and product labeling at a Pesticides Management Workshop in Taiwan.
- On March 6th, a delegation from EPA Taiwan's Toxic & Chemical Substances Bureau (TCSB) presented to AA Dunn, PDAA Beck, and DAA Bertrand an update on their progress since 2017 and proposals for two additional activities in 2019.

Action: OCSPP response on their availability for the proposed chemicals and pesticide trainings in 2019 - 2021. To continue our cooperation in 2020-2021, TCSB and OITA are working to draft language to add to our workplan under implementing arrangement-13.

Lead Paint

- OITA is leading a cross-office, EPA team to work on getting lead out of paint in developing countries.
- EPA is the Chair of a global effort called the Global Alliance to Eliminate Lead Paint.
- OITA is working with staff from OCSPP, OECA and OGC. In OCSPP, the lead program has provided staff to this effort and has played a critical role in its success.
- OCSPP played a major role in drafting the lead paint Model Law and guidance
- OCSPP also played a significant role in a recent regional lead paint workshop in Kazakhstan.
- This is the first in a series of four lead paint workshops in each global region under the \$3 million GEF project. The workshops are the cornerstone of the

project where we identify countries ready to take steps to enact lead paint laws.

- The next workshops will be in Africa, Latin America (Panama) and Asia (Bangkok) in May, June and July.
- We appreciate the support of your office for this work. We would not be where we are today without OCSPP.
- As we focus on addressing potential lead exposures, are there ways we can include tribes? What role might OITA play in helping to engage tribes with this important Agency priority?
- ***On the tribal side of our office, we would like to explore ways to include tribal schools in the Healthy Schools program – for lead and other chemical hazards around tribal schools.***

Mercury

- We would like to reiterate the importance of our long-standing relationship with OCSPP on Minamata Convention negotiation and implementation.
- We particularly value OCSPP's technical assistance and leadership on a range of issues, including:
 - Leadership on the products and reporting aspects of the Minamata Convention.
 - Leading the Products partnership area of the Global Mercury Partnership.
 - Serving as the USG representatives for intersessional expert groups.
 - Providing invaluable expertise and support for international negotiations discussions.
- Karissa Kovner's extensive experience in particular has been very helpful to bringing our newer staff up to speed both on the subject matter as well as strategies to further USG goals under Minamata Convention.

- We look forward to providing continued support to OCSPP as it address implementation of the new TSCA regulations, as the Lautenberg Act provides important elements that assist the U.S. in meeting its obligations under the Convention.

Trade

- We are pleased that you are going to fill the OCSPP trade position.
- We have enjoyed a long history of working collaboratively with your office on trade matters.
- We anticipate a busy schedule over the next two years, including talks with the UK, the EU, and Japan. We will also be working with African countries including Kenya and possibly Rwanda.

----- TRIBAL -----

Tribal Pesticides Program Council and National Tribal Toxics Council

- OITA administers the National Tribal Operations Committee (NTOC) – a joint EPA-tribal consultation forum operating continuously since 1994. The 19 tribal government members of the NTOC are collectively referred to as the National Tribal Caucus, or “NTC.” OITA and the NTC are currently working to improve coordination between the NTC and other EPA-sponsored partnership groups, including OCSPP’s Tribal Pesticides Program Council and National Tribal Toxics Council.
- The NTC would like to have better coordination with these OCSPP tribal partnership groups to help tribes provide EPA senior leadership with consistent messaging, to help amplify those messages, and to increase their collective effectiveness at informing EPA about policy and resource matters related to tribal capacity development and environmental program implementation in Indian country.

- OITA would like to thank OCSPP for consistently inviting OITA to participate in Tribal Pesticides Program Council and National Tribal Toxics Council meetings and conference calls – we look forward to continuing to engage with your office on the work of these groups and helping to keep the NTC engaged as well.
- EPA-Tribal Environmental Plans and Indian Environmental General Assistance Program (GAP) Guidance
- OITA is currently working to improve our financial assistance program guidance. Specifically, we are working to streamline and simplify guidance for the Indian Environmental General Assistance Program – or “GAP.” Under this program, we provide tribes with ~\$64M annually to build their capacity to administer environmental protection programs. We welcome input from OCSPP to help make sure our guidance effectively conveys how important OCSPP-related programs are to protecting human health and the environment in Indian country, and that these programs are important for successful tribal environmental protection program implementation.
- OITA anticipates requesting input from OCSPP most intensively in June and I would like to offer my personal appreciation in advance for any constructive input your staff can provide to this effort.

Additional Background: EPA International Chemicals Management Priorities 2019

Country	Activity	Date	
China	EPA-MEE MOU: DVC on computational toxicology in chemicals management (OPPT, ORD)	May	Administrator Deliverable
China	EPA-MEE MOU: DVC mercury management (OITA, OAQPS, OPPT)	May	Administrator Deliverable
Europe	Status of EPA-ECHA Workplan	March - May	Administrator Deliverable
Europe	Ryan Jackson-OCSPP mission to Helsinki	May	Administrator Deliverable
Taiwan	International Chemicals Management Conference	August 6-8	
Taiwan	Pesticides Management Workshop	August 6-8	

Additional information on proposed Taiwan activities:

- Taiwan 2019 International Chemicals Management Conference (August 6-8)**
 Building on PDAA Beck's participation in the 2018 International Chemicals Management Conference, EPA Taiwan requests the participation of 1-2 EPA experts to deliver presentations on trends and challenges in international chemicals regulation (travel funded from OITA interagency agreement). Specifically, EPA's perspective regarding the benefits of chemicals management for industry and international chemicals registration and evaluation. Other invitees include international experts from ECHA, KEMI, Tukes, Vinachemia, and 200 Taiwan officials and representatives from industry and NGOs.
- Taiwan 2019 Pesticides Management Workshop (August 6-8)** Building on OCSPP Yu-ting Guilaran and Wynne Miller's participation at the 2018 workshop, EPA Taiwan requests 2 EPA officials deliver trainings at a 4-day workshop in Taiwan on New Biopesticides Technology/Application and Risks of Pesticides Exposure (travel funded from OITA interagency agreement) for officials from 5 ministries, local level officials, and representatives from industry and NGOs. Taiwan would like to understand the U.S.'s regulations on biopesticides registration and management, new bio pesticides regulatory scope and risk analysis, and U.S. Wolbachia research and transfer to industry. Taiwan would also like to learn about U.S.'s actions to reduce consumer exposure risk to household pesticides, risk analysis methods on exposure rate to vector control, and toxicology tests on substitute methods or new technological developments.

EU Interested in Cooperating on Pesticides

The EPA Administrator and Director-General for Health and Food Safety Anne Bucher discussed U.S. and EU pesticide policies, particularly the differences between hazard-based versus risk-based assessment programs; Maximum Residue Limits (MRLs) and import tolerances; and the regulatory status of certain pesticides, including clothianidin, glyphosate, and chlorpyrifos during a meeting on May 2. EPA raised concerns with the hazard-criteria used by the EU for pesticide assessments. DG SANTE stated that the EU evaluation program is generally risk-based, with the exception of narrowly defined hazard-criteria for certain categories: carcinogenic, mutagenic, and endocrine disruptors (EDs).

Comment: *The hazard criteria outline more than these three categories, so it is broader than DG SANTE expressed.*

When establishing MRLs, DG SANTE uses a risk-based approach and EU member states can apply for import tolerances for banned substances. This process usually takes about two years. (Comment: The USG is unaware of any banned substance going through the full import tolerance request procedure and cannot verify this timing. End Comment). DG SANTE stressed that its risk-based and hazard-based criteria evaluations are both compliant with international trade rules and are science-based. They were keen that no misleading statements about the EU pesticide evaluation program be shared at international fora such as the WTO SPS Committee. (Comment: DG SANTE skirted the points that WTO SPS rules are risk-based and that the United States is one of a dozen countries raising the EU's hazard-based approach at the WTO SPS Committee. End Comment)

Both sides also discussed the impact of media on consumer confidence in pesticides and agreed to work together to ensure consumers know that the foods they consume are safe. DG SANTE asked about the recent U.S. decision on glyphosate and the potential impact on U.S. court cases. EPA stated that it just released an interim review decision for glyphosate, reiterating its determination that it is not carcinogenic, but could not say how this decision would impact appeal cases. EPA offered to host the next technical exchange to follow up from the previous collaboration in April.

EPA and Commission Agree to More Structured Cooperation; Approve “Working Arrangements” Document

During a meeting on May 3 in Brussels, EPA Administrator Wheeler and Daniel Calleja Crespo, the Director General (DG) at the Directorate General for the Environment (DG ENV) of the European Commission, exchanged a document to memorialize cooperation between DG ENV and the EPA. The DG and the Administrator expressed their interest in engaging in further discussions. Both sides recognized the importance of policy approaches that support global environmental goals as well as promote economic growth. Additionally, they acknowledged the critical role that emerging environmental innovation, stakeholder engagement, and regulation will play to prevent, reduce, and manage emissions of pollutants, and to manage chemicals and waste in a sound manner. They agreed on further meetings and/or video conferences and information exchanges on sustainable materials management/circular economy, marine litter and plastics, clean drinking water, chemicals, and air quality.

Specifically, DG ENV and EPA will:

- Arrange a technical-level meeting on recycling and food waste after a November 2019 U.S. domestic summit on the issue.
- Exchange information on EPA’s WIFIA program revolving water fund and methylene chloride approved uses, review best practices on animal testing, and share recently updated draft lead and copper rules. The EU will share data on migration as it relates to access to water.
- Discuss next steps in addressing marine plastics, particularly with respect to pilot projects in Asia.
- Restart a joint Statement of Intent and update dialogues on chemicals, including possible relaunch of a work plan.